

WEST TISBURY CONSERVATION COMMISSION
MINUTES OF MEETING
March 10, 2009

Present: Prudy Burt Chair, Joanie Ames, Hadden Blair, Judy Crawford, Binnie Ravitch, Tara Whiting and Maria McFarland

Absent: Dan Pace and Peter Rodegast

Also present for all or part of the meeting: Nate Davis, Reid Silva, Bart Smith and Rick Karney

Prudy Burt called the meeting to order at 5:00 P.M. Joanie Ames will vote on any matters where a quorum is needed.

The minutes of the February 24th meeting were approved. Judy abstained.

SE79-288/Maps 36, 41 & 43 Lots 28, 1 & 8 respectively - continuation of a public hearing under the requirements of G.L. Ch.131 § 40, as amended and the West Tisbury Wetlands Protection Bylaw and regulations to consider a **Notice of Intent** filed by the Trustees of Reservations for property located at 330 Long Point Road. The project consists of habitat restoration and maintenance including, but not limited to, burning, grazing, herbicides to treat Phragmites, and clearing and mowing of early successional habitats as set forth in the Long Point Management Plan.

Prudy opened the hearing; Nate Davis was present for the Trustees. The DEP file number letter was received with no comments. The NHESP letter stated that the work as currently proposed will not adversely affect the actual Resource Area Habitat of state-protected rare wildlife species.

The Trustees submitted a request for a waiver of the buffer zone provisions of the local bylaw for work in the first 25 feet of the buffer zone to a resource area.

There was some discussion about placing educational signs where this work is being conducted. Such a sign can be requested, but would not be a condition required to carry out any of the proposed activities. There was no public comment.

Prudy closed the public hearing. A motion was made and seconded to grant a waiver for this work to be done as the purpose is the management and enhancement of specific habitat under a habitat restoration plan approved by NHESP. All in favor; Judy abstained. Hadden motioned to approve the project as presented and Tara seconded. Judy abstained. The motion carried. Special conditions will be reviewed and approved at the next meeting.

SE79/289/Map 6 Lots 7 & 7.2 - Notice of Intent filed by Vineyard Land Surveying & Engineering on behalf of Dunster Realty, LLC and Harrowby Property Company, Ltd. owners of property located at 245 and 255 John Cottle Road. The project consists of the construction and maintenance of a foot/golf cart path in the Buffer Zone.

Reid Silva and Bart Smith represented the applicant who would like to create a path that could accommodate a golf cart to be used by a relative who can not walk the distance to the beach. Unpaved paths in the buffer zone are exempt under the WPA but are not exempt under the local

bylaw. A letter was filed requesting a wavier from the provisions of the local bylaw for work in the first 25 of the buffer zone to a resource area. There is one section of the path that will require some grading and a stair to step off the path. Wood chips will be used on portions of the path but not in the open field.

As this project is to be located on property owned by Dunster Realty L.L. C. the consent of Dunster Realty, L.L.C is required. Bart will obtain a letter of consent. The Commission asked for a continuance until the letter of consent is submitted. With the consent of the applicant's representative a motion was made and seconded to continue the public hearing on this application to March 24th at 5:10 PM. All in favor.

New Business

Aquaculture/Mussel Farm Project: Rick Karney of the Martha's Vineyard Shellfish Group spoke to the Commission about a pilot project to establish a 25-acre off shore aquaculture zone for submerged longline mussel culture in Vineyard Sound. Rick described the technology to be used. The submerged long lines would be anchored by two 250kg plow-type anchors which are deployed in water 25 meters (80 ft) deep. The line is submerged so that the socks containing the mussel seed are not subject to wave action but not so far down as to be susceptible to predators.

The Army Corp of Engineers is currently reviewing the project. The comment period deadline for this permit is March 17th. The Division of Marine Fisheries, Coastal Zone Management and Natural Heritage and Endangered Species are reviewing this project for the Corp permit. An Order of Conditions is also required under 310 CMR 10:25, as the anchors for lines will be located in Land under the Ocean.

There were a few questions about how the lines would be accessed and maintained. Rick said all activities will be launched from Menemsha so there will be no onshore activity in West Tisbury.

The members agreed to write a letter of support in principle for the project subject to their review under the WPA and the local bylaw. Rick will prepare and file a Notice of Intent in the next couple of weeks.

Water Alliance: At the request of Judy the members agreed to write a letter of support to the Woods Hole Oceanographic Institute for a project to study invasive species in Eelgrass beds in the waters in Vineyard Waters proposed by Dave Grunden the Oak Bluffs Shellfish constable.

Administrative

The April 14th meeting will be cancelled because it is Annual Town meeting night. The first April meeting will be on the 7th at 5:00 PM.

There being no further business on the agenda, the meeting adjourned at 6:30 P.M.

Respectfully submitted,

Maria McFarland
Board Administrator
APPROVED